

REMARKS

In order to promote administrative efficiency and better communication, the Examiner is invited to make suggestions at any time during the proceedings, via phone, fax or e-mail, whenever such suggestions are within the Examiner's discretion as an aid to placing the claims in order for allowance in a timely manner.

Examiner's Point 4 :

In Examiner's point 4, the Examiner requested that the status of the added claims be corrected. Applicant has done so, thereby satisfying this objection of the Examiner.

Examiner's Point 5:

The Examiner rejected claims 3-4 as being directed to non-statutory subject matter, namely a program, which is intangible. Applicant has amended the specification to correct the definition of a computer program *product*, which is not a computer program alone. A computer program product is essentially a computerized method encoded on a computer-readable medium, widely known as a computer program product. It is believed therefore that this rejection is overcome.

Examiner's Points 6-9: Rejection under 112, Second Paragraph:

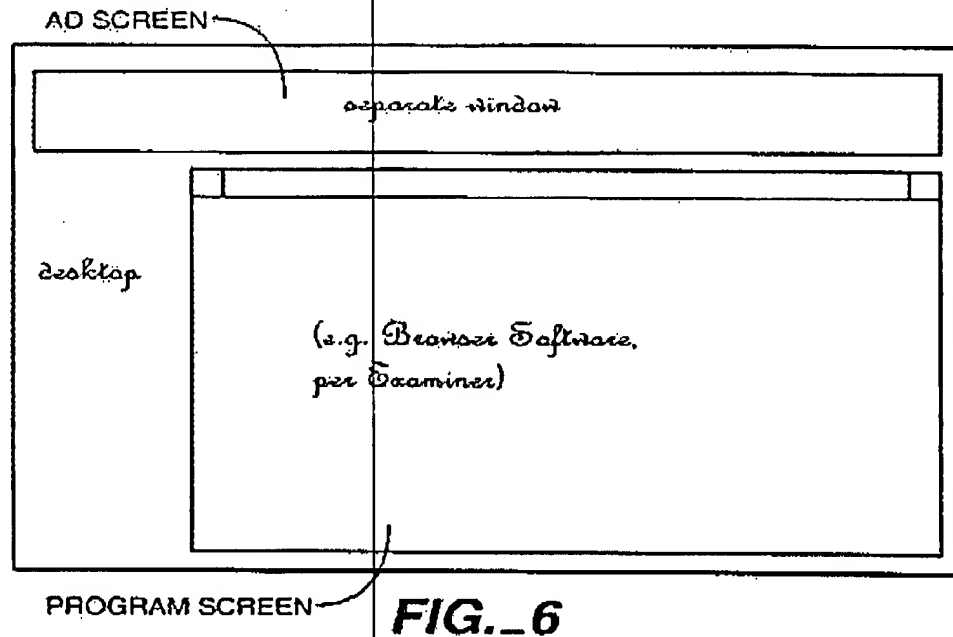
Concerning the Examiner's rejection under 112, in which the Examiner asserts that the limitation "persistent" and "substantially" render the claim indefinite and/or "omnibus", Applicant has amended claim 1 to delete this terminology. The Examiner's rejection in this regard is satisfied. Further, claims 3 and 4 have been amended as suggested by the Examiner.

Examiner's Points 9-13: 102(e) Rejection based on Horstmann:

The Examiner rejected claims 1-4 under 35 U.S.C. §102(e) as being anticipated by Horstmann. Applicant has amended claim 1 to more clearly bring in the limitations

argued in the prior application, in particular those referred to by the Examiner in the Examiner's "Response to Arguments" section of her response. These arguments are repeated here for the convenience of the Examiner:

Horstmann states that "For example, a Web browser on the user's machine may be started up and pointed to a location providing further information about the subject matter of the ad.", and that an "ad module detects the [user's] click and activates a local Web browser, causing a Web page related to the advertisement to be accessed." Below is an annotated Figure 6 of Horstmann:



Applicant points out, that given this above figure, taken in light of Horstmann's disclosure, Horstmann teaches an ad screen that opens separately from the program to which it is associated. Thus, Fig. 6 shows the user's desktop with the ad screen and program screen open but separate from each other. Horstmann further lacks any teaching or remote suggestion of integrating the banner window into the browser GUI: Applicant's claim 1 was previously amended to more clearly require that "the method causes the display of ... information in a banner window integrated into of a browser user interface on terminals in a network of terminals, wherein the information

displayed on the browser user interface is ~~persistent, being displayed~~ substantially visible during browsing". Applicant asserts that Horstmann, like Gerance, lacks any teaching or suggestion of providing a banner window integrated into the browser interface. Consequently, it is believed that Horstmann lacks identity with Applicant's claim and thus cannot be used to support a §102 rejection. Further, in a browser interface, generally only what's inside the browser interface changes (i.e., the contents and browsed data). In Applicant's invention, the browser interface includes an integrated banner window which displays messages to the user. Consequently, it is believed that claims 1-4, which all include the above limitations, define a patentably distinct invention from Horstmann's disclosure and that the Examiner may now properly pass the application on to allowance.

Applicant notes that another significant difference between Horstmann and Applicant's invention is that Horstmann teaches an Advertiser-controlled system, while the present invention describes a company (or project) -oriented method whose purpose is to inform, build morale, indoctrinate employees of a company. The difference is huge, when one considers the productivity benefits from management using such a system to communicate its messages to its employees.

If the Examiner is so inclined in her effort to move this case on to allowance, she is invited to suggest further limitations incorporating this further difference in the claim.

§ § §

Conclusion

Applicant has made a diligent effort to advance the prosecution of this application by amending claims, and by pointing out herein with particularity how the claims now presented are patentably distinct from the prior art of record. Therefore, Applicant respectfully submits that the claims, as amended, are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art,

the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, she is invited to contact the undersigned at phone 011-4171 230 1000, fax at 011-4171 230 1001 (St. Gallen is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@patentinfo.net.

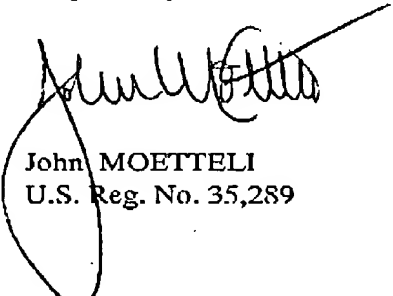
If the Examiner finds any deficiency in the above arguments, Applicant encourages an interview if the same will help move this case to issue.

Applicant petitions the Commissioner for an Extension of Time under 37 CFR §1.136 for a period of 0 month and the Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621.

Respectfully submitted,

Date : May 1, 2007

Enclosure: none


John MOETTELI
U.S. Reg. No. 35,289